

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

TAMMY LAVONNE HARMON,

Plaintiff,

V.

Civil Action No.: 7:20cv756

SAM'S EAST, INC.,  
1455 Towne Square Blvd. NW  
Roanoke, Virginia 24012

A DIVISION OF

WALMART, INC.,  
708 SW 8<sup>th</sup> Street  
Bentonville, Arkansas 72716

Defendants.

## JOINT NOTICE OF REMOVAL

COME NOW the defendants, Sam's East, Inc. and Walmart, Inc. (collectively referred to herein as "Defendants" or "the defendants"), by counsel, pursuant to 28 U.S.C. §§ 1441 and 1446, and file this Joint Notice of Removal to remove this action to this Court from the Circuit Court for the City of Roanoke, Virginia. In support of this Joint Notice, the defendants state as follows:

1. Upon information and belief, plaintiff is, and was at all times relevant hereto, a resident, citizen, and domiciliary of the Commonwealth of Virginia.

2. At the time this action commenced, and at the time of removal, Sam's East, Inc., was an Arkansas corporation with its principal place of business in Bentonville, Arkansas.

3. At the time this action commenced, and at the time of removal, Walmart, Inc., was a Delaware corporation with its principal place of business in Bentonville, Arkansas.

4. The plaintiff has filed a Complaint against the defendants in the Circuit Court for the City of Roanoke, Virginia. A copy of the plaintiff's Complaint and the defendants' Answer are attached hereto as **Exhibit A**, pursuant to 28 U.S.C. § 1446.

5. This Joint Notice is filed within thirty (30) days after service upon the defendants and is filed not more than one (1) year after the commencement of this action, pursuant to 28 U.S.C. § 1446(b).

6. This civil action is one over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1332, and the amount in controversy alleged in the Complaint exceeds Seventy-Five Thousand Dollars (\$75,000.00) exclusive of interest and costs, and the action is between citizens of different states.

7. The defendants have given notice of the filing of the Joint Notice of Removal to counsel for the plaintiff and have filed a copy with the Clerk of the Circuit Court for the City of Roanoke, Virginia.

8. The defendants are represented by the same counsel and all join in the removal of this case to this Court.

WHEREFORE, the defendants, by counsel, hereby give notice to this Court that this action is removed to this Court from the Circuit Court for the City of Roanoke, Virginia.

SAM'S EAST, INC., and  
WALMART, INC.

/s/ Victor S. Skaff, III  
Of Counsel

C. Kailani Memmer (VSB No. 34673)  
Victor S. ("Dinny") Skaff, III (VSB No. 40054)  
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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 21st day of December, 2020, a copy of the foregoing Joint Notice of Removal was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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*Counsel for Plaintiff*

/s/ Victor S. Skaff, III  
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Of Counsel